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PATENT

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: Michael S. Head et al.

Serial No.: 10/701,715 Filed: November 5, 2003

Title: Apparatus and Method for

Detecting an Analyte

Attorney Docket No.: 09987-00002

Group Art Unit: 2856

Examiner: John P. Fitzgerald

Commissioner for Patents Alexandria, VA 22313-1450 □ CERTIFICATION OF FACSIMILE TRANSMISSION

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. Heller II

September 26, 2005

## RESPONSE TO FIRST AND FINAL OFFICE ACTION AFTER FIRST RCE, UNDER 37 C.F.R. § 116

This is in response to the Office Action (paper no. 052005) regarding the above-identified patent application that was mailed from the U.S. Patent and Trademark Office on May 26, 2005. Amendments to the Claims and Remarks concerning the Office Action start, respectively, on the following pages 2 and 8.

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